

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOLLY ROGER OFFSHORE FUND, et al.,

Plaintiffs,

Vs

BKF CAPITAL GROUP, INC., et al.,

Defendants.

Case No.  
07 Civ. 3923

**AFFIDAVIT OF  
SERVICE**

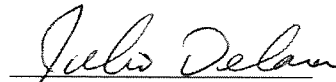
STATE OF NEW YORK)  
COUNTY OF NEW YORK } ss.:

Julio Delara, being duly sworn, deposes and says: I am not a party to this action, am Over 18 years of age and reside at New York, NY:

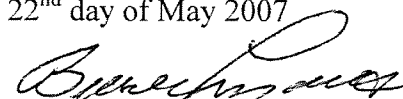
On May 22, 2007 at 11:45 a.m. at 595 Madison Avenue, New York, NY 10022, I served the within SUMMONS, COMPLAINT, RULE 7.1 STATEMENT, CIVIL COVER SHEET, 3<sup>RD</sup> AMENDED INSTRUCTIONS FOR ELECTRONIC CASE OR APPEAL, PROCEDURES FOR ELECTRONIC CASE FILING, INDIVIDUAL PRACTICES OF JUDGE ROBERT W. SWEET, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE HENRY PITMAN and GUIDELINES FOR ELECTRONIC CAS FILING on JOHN A.LEVIN, defendant therein named, by delivering a true copy of same to DAWN EKBOM, a person of suitable age and discretion at the defendant's actual place of business.

On May 22, 2007, I mailed a copy of the above documents to the defendant c/o Levin Capital Strategies, at 595 Madison Avenue, New York, NY 10022, his actual place of business, by enclosing it in an envelope, postage prepaid, and depositing it in an official depository under the exclusive care and custody of the United States Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address of otherwise, that the communication was from an attorney or concerned an action against the defendant.

The person served is a white female, brown hair, 25-35 years old, 5'0"-5'4" in height, 170-180 pounds.

  
Julio Delara  
License No. 991178

Sworn to before me this  
22<sup>nd</sup> day of May 2007

  
NOTARY PUBLIC

139 Fulton Street, New York, NY 10038

Tel: 212-393-9070 • 800-393-1277 • Fax: 212-393-9796

**LegalEase**  
Inc.

BRUCE LAZARUS  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 4990593

Qualified in Westchester County

My Commission Expires January 13, 2010

A0 440 (Rev. 10/93) Summons In a Civil Action

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

JOLLY ROGER OFFSHORE FUND and JOLLY  
ROGER FUND LP, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiffs,

SUMMONS IN A CIVIL CASE

V.

07 CIV 3923

BKF CAPITAL GROUP, INC., GLENN A. AIGEN,  
And JOHN A. LEVIN,

Defendants.

JUDGE SWEET

TO: (Name and address of defendant)

BKF Capital Group, Inc.  
One Rockefeller Plaza  
New York, NY 10020

Glenn A. Aigen  
c/o BKF Capital Group, Inc.  
One Rockefeller Plaza  
New York, NY 10020

John A. Levin  
c/o BKF Capital Group, Inc.  
One Rockefeller Plaza  
New York, NY 10020

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Christopher J. Keller, Esq.  
Andrei Rado, Esq.  
Alan I. Ellman, Esq.  
LABATON SUCHAROW & RUDOFF LLP  
100 Park Avenue  
New York, New York 10017  
Telephone: (212) 907-0700  
Facsimile: (212) 818-0477

and answer to the complaint which is herewith served upon you, within **twenty (20)** days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

  
BY DEPUTY CLERK

~~MAY 18 2007~~  
DATE